

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 23, 2007**

**DIVISION ONE**

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J.  
(Assigned) and S. Stahl, Deputy Clerk.

Each of the following:

B119521	People v. Rubio
B187483	People v. Albert T.
B188615	People v. Williams
B189380	People v. Hernandez
B189776	People v. Jones
B190107	In Re I.H.; DCFS v. I.D.
B191067	DCFS v. James B.
B191906	DCFS v. Julieta L.
B192026	DCFS v. James B.

Argument waived, cause submitted.

B188839	Franklin
	v.
	Los Angeles County Sheriff's Department

Merits:

Argued by Christopher Franklin, appellant in propria persona and by  
Patrick Hurley for respondent. Cause submitted.

Vogel, J. leaves the bench.

DIVISION ONE (Continued)

B175841     Meshekow  
              v.  
              Weir

Merits:

Argued by Bruce Adelstein for appellant and by Patrick L. Garofalo for respondent. Cause submitted.

Vogel, J., returns to the bench.

B186803     People  
              v.  
              Chia

Merits:

Argued by Tracy Dressner for appellant and by Lance Winters, Deputy Attorney General, for respondent. Appellant to submit supplemental letter brief within 7 days. Respondent shall have 7 days thereafter to respond. Submission deferred.

B185350     People  
              v.  
              Guerrero

Merits:

Argued by Joanna McKim for appellant and by Juliet Swoboda, Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (Continued)

B185736      People

v.

Willie

Merits:

Argued by Donald R. Tickle for appellant. No appearance for respondent.  
Cause submitted.

B187834      Weiss et al.

v.

Washington Mutual Bank et al.

Merits:

Argued by Scott M. Pearson for respondents and Gail Sanes waived for  
appellants. Cause submitted.

Mallano, J., leaves the bench.

B189736      Temple City Redevelopment Agency

v.

Bayside Drive Limited Partnership

Merits:

Argued by Christopher Sutton for appellant and by Dean Dennis for  
respondent. Cause submitted.

Mallano, J., returns to the bench.

DIVISION ONE (Continued)

B191621      Los Angeles County, D.C.S.

v.

Carrie E.

Merits:

Argued by Lori A. Fields for appellant and by Joanne Nielsen Romero, Deputy County Counsel, for respondent. Cause submitted.

Jackson, J. (Assigned), leaves the bench.

B191033      Smythe et al.

v.

White, Jr. et al.

Merits:

Argued by Alan Charles Dell'Ario for appellants and by Barry Z. Brodsky for respondents. Cause submitted.

B194965      Halestean G.

v.

Superior Court, Los Angeles County  
(Department of Children and Family Services, r.p.i.)

Merits:

Argued by Mark L. Tseselsky for petitioner and by Tracey F. Dodds, Deputy County Counsel, for real party in interest. Cause submitted.

B185508      Bailhe

v.

Mercury Casualty Company et al.

Merits:

Argued by Patrick C. McGarrigle for appellant and by Thomas J. Dowling for respondents. Cause submitted.

DIVISION ONE (Continued)

Vogel, J., leaves the bench.

Jackson, J. (Assigned), returns to the bench.

B189259      Robert Graham et al.  
                 v.  
                 Daimlerchrysler Corp., et al.

Merits:

Argued by Richard M. Pearl for appellants and by Theodore J. Bourtros, Jr.  
for respondents. Cause submitted.

Court adjourned.

B191906      Los Angeles County, D.C.S.                      (Not for Publication)  
                 v.  
                 Julieta L.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                 Jackson, J. (Assigned)

DIVISION TWO

B189470      Victoria Kerrigan                      (Not for Publication)

v.

Thomas Kerrigan

The judgment is reversed to the extent it finds that husband's savings account at Washington Mutual is community property and that wife should be paid half of the \$19,162.93 he removed from this account. In all other respects the judgment is affirmed. Wife to recover her costs on appeal.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

B190515      People    (Not for Publication)

v.

Wiggan

The judgment is modified to provide that the sentence imposed on count 2, forgery, is stayed pursuant to section 654. The matter is remanded with directions to the trial court to correct the abstract of judgment to reflect the appropriate sentence of one year under section 667.5, subdivision (b). In all other respects, the judgment is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

DIVISION TWO (Continued)

B191069      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
SCLA / C.L., et al.

The juvenile court's order is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                  Chavez, J.

B188943      People      (Not for Publication)  
v.  
Haley

The judgment is affirmed.

Chavez, J.

We concur:    Ashmann-Gerst, Acting P.J.  
                  Chavez, J.

B186264      People      (Certified for Publication)  
v.  
Coleman

Appellant's conviction for carjacking is reversed and his conviction for robbery is affirmed. The matter is remanded for resentencing.

Doi Todd, J.

We concur:    Boren, P.J.  
                  Ashmann-Gerst, J.

DIVISION TWO (Continued)

B193835      Pugliese      (Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(Pugliese, r.p.i.)

Let a writ issue directing respondent superior court to set aside its order granting real party's in limine motion and to issue a new and different order denying the motion. The temporary stay is vacated. Petitioner is to recover the costs of this petition.

Chavez, J.

We concur: Boren, P.J.  
Doi Todd, J.

DIVISION THREE

B189219      People      (Not for Publication)  
v.  
Gregory Lee Smith

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.  
Aldrich, J.

### DIVISION THREE (Continued)

B187778 People (Not for Publication)

V.

Eduardo J.

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

B187945 People (Not for Publication)

V.

George Jacobs

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

B183255 People (Not for Publication)

V.

Erik Isaac Morales

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

### DIVISION THREE (Continued)

B188902 Garza (Not for Publication)  
v.  
Aguila

The judgment is affirmed. Appellant to bear her own costs on appeal.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

B188220 California Commerce Casino, Inc., et al. (Certified for Publication)  
v.  
Arnold Schwarzenegger, as Governor, etc., et al.

The appeal is dismissed as untimely. (Code Civ. Proc., 870, subd. (b).) The parties shall bear their respective costs on appeal.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

## DIVISION EIGHT

B192818      People      (Not for Publication)  
v.  
Floyd,

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.  
Rubin, J.

## DIVISION EIGHT (Continued)

B182232      Said,      (Certified for Publication)  
v.  
Jegan et al.,

For the reasons set forth above, the judgment is reversed. Appellant is awarded his costs on appeal.

Rubin, J.

We concur: Cooper, P.J.  
Flier, J.

B181180      Stone                                  (Not for Publication)  
v.  
Center Trust Retail Properties, Inc.,

The judgment is reversed and the matter remanded for retrial of liability only. Each side to bear its own costs on appeal.

Rubin, J.

We concur: Cooper, P.J.  
Boland, J.